



## **Tom Lantos Human Rights Commission Hearing**

### **The Rights of Parents and Children:** **How to Better Implement the Goldman Act on Child Abduction**

**Wednesday, September 29, 2021**

**1:00 – 2:30 p.m.**

**2172 Rayburn House Office Building  
and Virtual via Cisco WebEx**

#### **As prepared for delivery**

Good afternoon.

I thank Co-Chair Smith for convening today's hearing on the problem of international parental child abduction. I join him in welcoming the witnesses, two of whom have directly suffered the consequences of such abductions. Let me just say that I very much regret that you've had to go through such an experience.

International parental child abduction, or IPCA as it is known for short, refers to the wrongful removal of a child from their country of habitual residence, or the wrongful detention of a child outside that country. It is a violation both the of the rights of the left-behind parent and the rights of the child, including the right not to be separated from their parents against their will.

This is a problem that members of Congress have been concerned about for decades. Since 1980 Congress has been enacting laws meant to prevent and sanction this practice, and laws have also been passed at the state level.

The U.S. became a state party to the Hague Convention on international child abduction in 1988.

This Commission held the first ever congressional hearing on international child abduction in December 2009.

The Goldman Act, passed in 2014 and named for a family that suffered child abduction, gave the State Department stronger diplomatic tools to seek the return of children removed illegally from the United States.

These efforts over time have yielded results. The number of children reported abducted from the United States has declined consistently over time, and thousands of children have been returned. I applaud the work the State Department does on these cases and believe we are on the right track.

But there are still hundreds of children and hundreds of parents who are caught in a morass of competing judicial systems, mixed in with differences in cultural and social expectations, nationalistic attitudes and gender stereotypes.

Fighting for the return of a child is a costly and emotionally draining process that can take years. Meanwhile, children grow up without access to one of their parents.

Even one of these cases is too many.

So I look forward to hearing the views of the witnesses today as to what more the U.S. government could be doing to help resolve these cases. Figuring out what more to do begins with knowing what is already working so we can build on that.

I would also like to know what more can be done to prevent international child abduction in the first place. Here I want to acknowledge the role that abuse or violence in the home can play in a caretaker's decision to flee with a child. To the extent that domestic violence is involved, it seems clear that prevention efforts must be linked with ending domestic violence.

I am also interested in whether regional human rights systems might offer additional legal channels for some left-behind parents. The Hague Convention lacks a supra-national enforcement mechanism. But for states that are consistently out of compliance with their Hague obligations, several of which are in the Americas, perhaps there is an opportunity for some creative litigation via the Inter-American Human Rights System. A first step could be a regional thematic hearing before the Inter-American Human Rights Commission.

I want to again express my solidarity with our witnesses today for the ordeals they have endured.

I yield back.